

Utah Crime Victims Council Meeting

June 8, 2023 8:00 am -4:00 pm

Location: Bear River Migratory Bird Refuge, Brigham City, Utah and Zoom

Council Member Attendance (in person): Avremi Zippel, Tyler Kotter, Dan Burton, Doug Fawson, Reed Richards, Brett Varoz, Gary Scheller, Denna Fausett, Marlesse Jones for Dawn Emery, Tracey Tabet, Brett Peterson, Heidi Nestel

Council Member Attendance (online*): Candy Bennett, Ned Searle, Yvette Rodier, Jared Garcia, Dominique Talahaftewa, Jaron Studley

Council Members Not in Attendance: Tom Ross, Charri Brummer, Teresa Brechlin, Angalena Simper, Ryan Arbon

Guests: Tyler Clancy, Moriah Pease*, Paul Cassell, Crystal Powell

Staff Support: Madi Radcliff, Tallie Viteri, Rachelle Hill*, Hilde Koenig, Vickie Bushman*, Lana Taylaor

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1. Welcome, Introductions, Overview of the Bird Refuge, March Meeting Minutes
 - a. The Council members introduced themselves by agency and how their position intersects with victims of crime
 - b. Approval of the March meeting minutes were motioned by Reed, seconded by Gary. All were in favor, none opposed.
2. Direction of the Council
 - a. Current status of the Council by statute
 - i. Advise on matters of legislation and policy: 2023 session was good by supporting and fighting bills related to victims.
 - ii. Education and Training: 35th Annual Crime Victims Conference was a success with huge help from UOVC staff support. Are there other trainings the Council can offer?
 - iii. Victims Rights: Work ahead of the Council.
 - b. Gap in expectation in what complaints can be processed, what a committee could do,
3. District Rights Committees: Vacancies, Duties, Gaps in Statute, Proposed Legislative Fixes.
 - a. District Rights Committee Updates and Concerns
 - i. It is hard to get full committees together as required members are in high positions in their communities. Currently the statute does not give leeway for a designee.
 - ii. It is felt that some complaints received could be worked out with the agency before being sent to the committee. Or that complaints were submitted because a case was dismissed or not filed which goes against the discretion of the judge or prosecutor.
 - iii. By statute, the committees can only make recommendations which victims want more from the complaint process.

- iv. A complaint form would be helpful in directing the victims filling out the form the complaints the committee would be able to assist with.
 - v. Could there be a way to gather data on positive outcomes?
 - b. Complaint Form Fixes
 - i. A draft updated complaint form created in Google Form was shown to the Council.
 - c. Legislative Fixes
 - i. Proposed draft language was shown and discussed amongst the Council.
 - d. Current Members and Suggested People to Fill Vacancies
 - i. First District: Vacant, Suggestions: Blair Wardle, Cheryl Borgan
 - ii. Second District: Filled, Reed Richards
 - iii. Third District: Filled, Yvette Rodier
 - iv. Fourth District: Vacant, Suggestions: Ryan Peters, Jeff Gray, Chad Grunander
 - v. Fifth District: Filled, Jaron Studley
 - vi. Sixth District: Vacant, Suggestions: Bud Powell, Kevin Daniels, Rob Van Dyke
 - vii. Seventh District: Filled, Denna Fausett
 - viii. Eighth District: Filled, Angie Simper but has been absent since appointed. Suggestions: Lindsey Garlick, Tegan Troutner, Vernal's Police Chief
- 4. Legislative Review and Initiatives
 - a. Victims' Rights
 - i. Representative Tyler Clancy presented on his bill file regarding amending the Victims Bill of Rights.
 - b. Polygraph Testing
 - i. The Office on Violence Against Women (OVW) is requiring states to have policies and practices that don't ask or require victims to take a polygraph for an investigation. Tallie presented draft language created by Council leadership prohibiting the use of polygraph testing of crime victims.
 - ii. Gary motioned the Council to recommend the draft Utah's Law Enforcement Policy Regarding the Polygraphing of Crime Victims favorably with a final recommendation brought to the Council at the next meeting. Brett and Reed seconded. All in favor with Dan Burton and Doug Fawson abstaining.
 - c. Clergy Privilege
 - i. Discussion on the failed bills regarding clergy privilege in Utah.
 - ii. Reed motion to create a subcommittee to create a training for child abuse and domestic violence, seconded by Tyler. All approved, none opposed.
- 5. State v. Chadwick
 - a. Heidi introduced Paul Cassell and Crystal Powel to speak on the recent trial of State v. Chadwick
- 6. Adjourn

Utah Crime Victims Council Meeting

June 9, 2023 8:00 am -12:00 pm

Location: Bear River Migratory Bird Refuge, Brigham City, Utah and Zoom

Council Member Attendance (in person): Tyler Kotter, Doug Fawson, Reed Richards, Gary Scheller, Heidi Nestel, Marlesse Jones for Dawn Emery, Denna Fausett

Council Member Attendance (online*): Ned Searle, Yvette Rodier, Brett Varoz, Candy Bennett, Reg Garff for Brett Peterson, Dominique Talafawewa, Jared Garcia

Council Members Not in Attendance: Tom Ross, Dan Burton, Charri Brummer, Ryan Arbon, Tracey Tabet, Teresa Brechlin, Avremi Zippel, Angalena Simper

Guests: Donna Kelley, Cheryl for BECO, Jenna and Meagan from New Hope Crisis Center, Sterling for BECJC

Staff Support: Madi Radcliff, Tallie Viteri, Vickie Bushman*, Lana Taylor*

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1. Legislative Review and Initiatives cont.
 - a. Rape Crisis Centers in Utah
 - i. Gary gave an update on the sexual assault funding in Utah and standards of care for rape crisis centers.
2. Local Victim Services Programs
 - a. Representatives from the Box Elder County Attorney's Office, New Hope Crisis Center, and Box Elder County Children's Justice center came to speak about their programs.
3. 2023 Conference Report, 2024 Conference Planning
 - a. Heidi motioned to engage in contract negotiations with Zermatt for the following three years Marlesse seconded. All in favor, none opposed.
 - b. Heidi motioned to set up a 36th Annual Conference planning committee with a Council member being the chair, seconded by Gary. All in favor, none opposed. The chair will be determined at the next Council meeting.
4. Clergy Training on SA/DV
 - a. Continuing the previous day's discussion on clergy privilege and training on domestic violence and sexual assault.
5. Adjourn
 - a. Next meeting August 25, 2023 from 11:30 to 2:00. Location TBD.